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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,345	07/22/2003	Gregory J. Petras	WC01520-2	9776

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EXAMINER
ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/624,345	PETRAS ET AL.
	Examiner	Art Unit
	Mohammad Ali	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 February 2005</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-85</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>35,36 and 43-63</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 July 2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the provisionally election made on

02/04/05.

Applicant's elected Group III (claims 35-63). Actually, Group I should consists

claims 35-36, and 43-63, because claims 37-42 is further dependent of other groups.

The application has been examined and claims 1-85 are pending in this Office Action.

Specification

2.   The abstract of the disclosure is objected to because it contents more than one

paragraph. Correction is required. See MPEP § 608.01(b). Abstract should be single

paragraph.

Drawings

3.   The drawings are objected to because they fail to show necessary textual labels of features or symbols in Fig. 1-A as described in the specification. For example, placing a label, "a printer, a mouse", with elements 1-14, 1-16 of Fig. 1-A, would give the viewer necessary detail to fully understand this element at a glance. A *descriptive* textual label for *each numbered element* in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:
"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 35-36 and 43-63 rejected under 35 U.S.C. 103(a) as being unpatentable

over Plantec et al. ('Plantec' hereinafter), USP 6,826,540 in view of Michael Goldstein

('Goldstein' hereinafter), USPGPUB 2001/0032115.

        With respect to claim 35,

Plantec teaches an Internet website client-server computer system, for use to determine by e-mail survey a level of subject approval for each one of a population of survey participants by capturing each such participant's opinions about the degree of relevance of each of a respective set of natural language terms to each of a respective set of subjects (see col. 8, lines 65 to col. 9, lines 7), comprising:

a) a client interface system arranged so that a survey taker may indicate at least i) a defined question for the survey, ii) a such set of subjects to be evaluated, iii) a such set of natural-language terms to be rated as to relevancy to each subject, iv) a participant audience, and v) a time-frame for response (see col. 8 lines 65 to col. 9, lines 2-7, Plantec);

b) a server computer processor system connected with said client interface system (see Fig. 1, Plantec); and c) a server computer software system, operational with said server computer processor system, arranged to provide survey processing comprising i) compiling a survey file and survey document in accordance with survey taker input, ii) communicating such survey document to such participant audience, and iii) receiving and tabulating responses (see col. 22, lines 36-40, Fig. 5E-F, Plantec).

Plantec does not explicitly indicate claimed relevancy information.

Goldstein teaches relevancy information at para 0017 and 0083.

It would have been obvious to one ordinary skill in the data processing art at the time of present invention to combine the teachings of the cited references because relevancy information of Goldstein's teaching would have allowed Plantec's system to achieve public opinions for their satisfaction as suggested by Goldstein at para 0002.

As to claim 36,

Plantec teaches displaying survey results at a publicized URL (see Fig. 1, col. 10, lines 35-37, Plantec).

With respect to claim 43,

Plantec teaches, an Internet client-server system for assisting at least one group of users having at least one common goal to capture and search, in a single database, offered knowledge, relevant to such at least one common goal, of a plurality of such users for the benefit of at least one of such users (see col. 8, lines 65 to col. 9, lines 7, Fig. 1-2), comprising: a) individually capturing for such database at least one experience of at least some of such plurality (see col. 26, lines 19-20, Plantec);

b) storing in such database such experience (see col. 26, lines 19-20, Plantec); c) user-searching, using at least one natural-language word, to select at least one desired kind of stored experience (see col. 8, lines 65 to col. 9, lines 7, Fig. 1-2, Plantec);

d) performing such user-searching (see col. 17, lines 45-55, Plantec); and e) presenting search results (see Fig. 1, col. 17, lines 1-10, Plantec).

Plantec does not explicitly indicate claimed relevancy information.

Goldstein teaches relevancy information at para 0017 and 0083.

It would have been obvious to one ordinary skill in the data processing art at the time of present invention to combine the teachings of the cited references because relevancy information of Goldstein's teaching would have allowed Plantec's system to achieve public opinions for their satisfaction as suggested by Goldstein at para 0002.

As to claim 44,

Plantec teaches searchably capturing for such database at least one item of such knowledge selected from the group consisting essentially of a) user-advice b) opinions of experts c) people who can help d) miscellaneous such knowledge of users (see col. 8, lines 65 to col. 9, lines 7, Figs. 5E-F et seq, Plantec).

As to claim 45,

Plantec teaches a substantially automatic website management system (see Fig. 1, Plantec).

As to claim 46,

Plantec teaches automatically rewarding assisting users for website management assistance (see col. 8, lines 65 to col. 9, line 7 and Fig. 1, Plantec).

As to claim 47,

Plantec teaches a) providing a software management system to directly manage such database and such population of users essentially without outside management (see col. 17, lines 13-20, Plantec); and b) providing for variables in such software management system to be configurable without affecting such direct management operations (see col. 17, lines 13-20 and col. 18, lines 35-40, Plantec); c) wherein such software management system comprises i) measuring management efforts of each of at least one management sub-community (see col. 17, lines 13-20 and col. 4, lines 60-65, Plantec), ii) setting goals for each of such management community (see col. 22, lines 15-22, Plantec), and iii) managing a reward system to reward management efforts of each of such management sub-community (see col. 20, lines 25-40, Plantec).

As to claim 48,

Plantec teaches searchably capturing for such database such knowledge of

users concerning useful knowledge sources outside such group of users (see col. 10

lines 19-25, Plantec).

As to claim 49,

Plantec teaches searchably capturing for such database such knowledge of

users concerning useful knowledge sources outside such group of users (see col. 10

lines 19-25, Plantec).

As to claim 50,

Plantec teaches a) providing at least one capability for at least one user to

complete on-line at least one multiple choice poll (see col. 16, lines 66 to col. 17, lines

5, Plantec); and b) providing at least one reward for such at least one user to

completing such at least one multiple choice poll (see col. 17, lines 3-10, Fig. 1,

Plantec).

As to claim 51,

Plantec teaches wherein: a) such common goal is sales-oriented (see col. 7,

lines 35-39, Plantec); b) such group of users comprises sales personnel (see col. 10

lines 19-25 et seq, Plantec); and c) those receiving such benefit comprise sales

personnel (see col. 10 lines 19-25, Plantec).

As to claim 52,

Plantec teaches wherein such step of user-searching, using at least one natural-

language word, to select at least one desired kind of stored knowledge (see col. 8, lines

65 to col. 9, lines 7), further comprises: a) selecting, if any, such at least one kind of

stored experience associated with chosen such at least one natural language word (see

col. 8, lines 65 to col. 9, lines 7); b) selecting, if any, such at least one kind of stored

experience in which the text of such at least one stored experience contains the chosen

such at least one natural-language word (see col. 26, lines 19-20, Plantec); c) selecting,

if any, such at least one kind of stored experience in which the category of such at least

one stored experience contains the chosen such at least one natural-language word

(see col. 26, lines 19-20, Plantec); and d) selecting, if any, such at least one kind of

stored experience in which the title of such at least one stored experience contains the

chosen such at least one natural-language word (see col. 26, lines 19-20 and Fig. 5E,

Plantec).

As to claim 53,

Plantec teaches automatically managing a reward system to reward efforts of

such at least one user (see col. 10, lines 19-20, Fig. 1 et seq Plantec).

As to claim 54,

Plantec teaches a) automatically measuring and storing each experience

contribution, including users' comments made by each such at least one user (see col.

26, lines 19-20, Plantec); b) assigning points to be accumulated for each such

experience contribution (see col. 26, lines 19-20, Plantec); c) automatically

accumulating assigned points for each such experience contribution by each such at

least one user (see col. 26, lines 19-20, Plantec); d) automatically reporting such points

accumulated for each such experience contribution (see col. 26, lines 19-20, Plantec);

e) defining at least one criteria for awarding prizes based on such accumulated points

(see col. 26, lines 19-20 et seq, Plantec); and f) automatically awarding prizes to such at

least one user with accumulated points meeting such at least one criteria (see col. 26,

lines 19-20, Plantec).

As to claim 55,

Plantec teaches a) managing such database and such group of users essentially

without customer website management (see col. 10, lines 20-25, Plantec); b) permitting

at least one customer to configure a plurality of variables in such computer software for

such managing of such database (see col. 10, lines 20-25, Plantec); c) automatically

setting goals for each such user participating in at least one management community

(see col. 10, lines 20-25, Plantec); and d) automatically managing a reward system to

reward management efforts of each of such at least one user of such at least one

management community (see col. 10, lines 20-25 and Fig. 1, Plantec).

As to claim 56,

Plantec teaches a) rating the relative overall value of each such at least one item

of such experience according to the opinion of each of such involved subset of such

population of users (see col. 26, lines 19-20, Plantec); b) collecting comments about

each at least one item of such experience according to the opinion of each of such

involved subset of such population of users (see col. 26, lines 19-20, Plantec); and c)

associating, in such database, respective such ratings of relative overall value and

respective such collected comments with respective such at least one item of such

experience (see col. 26, lines 19-20 and col. 10, lines 20-25, Plantec).

As to claim 57,

Plantec teaches automatically accumulating system operation data (see col. 26, lines 19-20, Plantec).

As to claim 58,

Plantec teaches wherein such system operation data comprises: a) data about compliance with such set of performance goals for each of at least one involved subset of such population of users (see col. 26, lines 19-20, Plantec); b) data about each type of such stored experience (see col. 26, lines 19-20, Plantec); c) data about such reward system (see col. 26, lines 19-20, Plantec); and d) data about interviews of each of such involved subset of such population of users (see col. 26, lines 19-20 and col. 10, lines 19-25, Plantec).

As to claim 59,

Plantec teaches permitting such at least one user to view successively more detailed levels of such automatically accumulated system operation data (see col. 26, lines 19-20, Fig. 1 et seq Plantec).

As to claim 60,

Plantec teaches a) requesting installation of at least one independent database access module onto the personal computer of such at least one user (see col. 10, lines 19-25, Plantec); b) permitting selection, using such independent database access module, of at least one category of such knowledge for display by such at least one user (see col. 26, lines 19-20 and col. 10, lines 19-25, Plantec); c) automatically searching, using such at least one independent database access module, such

database, without need of a browser, for at least one selected category of such

knowledge from such database (see col. 22, lines 50-54, Plantec); and d) displaying,

using such at least one independent database access module, found knowledge from

such at least one pre-determined category of such knowledge from such database to

such at least one user (see col. 26, lines 19-20, and Abstract, Plantec).

As to claim 61,

Plantec teaches a) displaying continuously at least one selected type of such

pre-determined information from at least one pre-determined category of such

knowledge from such knowledge stored in such database to such at least one user (see

col. 26, lines 19-20, and col. 22, lines 50-54 Plantec); and b) scrolling a display of at

least one selected type of such pre-determined information from at least one pre-

determined category of such knowledge from such knowledge stored in such database

to such at least one user (see col. 26, lines 19-20 et seq, Plantec).

As to claim 62,

Plantec teaches a) making specific requests for information from information

stored in such database by such at least one user (see col. 22, lines 19-20, Fig. 1,

Plantec).

As to claim 63,

Plantec teaches a) receiving at least one request for information from such at

least one user (see col. 26, lines 19-20 and col. 2, lines 60-67, Plantec); b) storing such

at least one request for information (see col. 26, lines 19-20 and col. 2, lines 59-65,

Plantec); c) notifying designated other such at least one user with particular expertise

about such at least one request for information (see col. 26, lines 19-20, Plantec); d)

storing such at least one request for information and at least one response by such at

least one user with particular expertise as such at least one experience (see col. 26,

lines 19-20, Plantec); and e) notifying such at least one user, requesting information, of

such at least one experience containing such at least one request and such at least one

response (see col. 26, lines 19-20 and col. 1, lines 7-10, Plantec).

Remarks

6.   Reasons have been given in the Election/Restriction requirement in the previous

Office Action.

Contact Information

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mohammad Ali whose telephone number is (571) 272-

4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Ali
Primary Examiner
Art Unit 2167

MA
April 27, 2005